



3738

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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/728,066

Filing Date

December 3, 2003

First Named Inventor

ARTHUR C. PERRY

Art Unit

3738

Examiner Name

JAVIER G. BLANCO

Attorney Docket Number

040020

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	CHARMASSON, BUCHACA & LEACH, LLP		
Signature			
Printed name	JOHN D. BUCHACA		
Date	JUNE 27, 2005	Reg. No.	37,289

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Signature			
Typed or printed name	JOHN D. BUCHACA	Date	6-27-05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, D.C.

In re application of:

ARTHUR C. PERRY

Serial No: 10/728,066

Filed: December 3, 2003

For: ORBITAL IMPLANT COATING
HAVING DIFFERENTIAL
DEGRADATION

Examiner: JAVIER G. BLANCO

Art Unit: 3738

RESPONSE WITH ELECTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed **May 26, 2005**, applicant hereby elects **Implant Species A** based on Figure 1, **Die Press Species A** based on Figure 7, and **Indicia Species B** based on Color coding. Applicant also wishes to withdraw from consideration at this time Claim 11 as it is directed toward a non-elected species.

June 27, 2005

Respectfully Submitted,

John D. Buchaca
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Telephone: (619) 294-2922
Fax No. (619) 294-8674

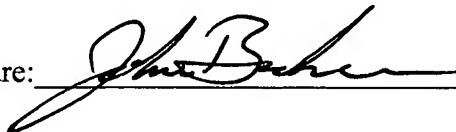
RESPONSE WITH ELECTION

Serial No. 10/728,066

040020

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Date: _____

6-27-05